

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

MAY 21 2014

SEAN F. McAVOY, CLERK  
DEPUTY  
SPOKANE, WASHINGTON

MICHAEL C. ORMSBY  
United States Attorney  
Eastern District of Washington  
Matthew F. Duggan  
Assistant United States Attorney  
Post Office Box 1494  
Spokane, WA 99210-1494  
Telephone: (509) 353-2767

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

	)	2:13-CR-00100-RMP
	)	
	)	SUPERSEDING INDICTMENT
UNITED STATES OF AMERICA,	)	
	)	Vio: 21 U.S.C. § 841(a)(1), (b)(1)(C)
Plaintiff,	)	Distribution of a Mixture or
	)	Substance Containing a
vs.	)	Detectable Amount of
	)	Methamphetamine (Count 1)
EUSEVIO CHAVALLO, JR.,	)	
	)	Vio: 21 U.S.C. § 841(a)(1),
Defendant.	)	(b)(1)(A)(viii)
	)	Distribution of 50 Grams or
	)	More of Pure (Actual)
	)	Methamphetamine (Count 2)
	)	
	)	Vio: 21 U.S.C. § 841(a)(1),
	)	(b)(1)(A)(viii)
	)	Possession with Intent to
	)	Distribute 50 Grams or More of
	)	Pure (Actual)
	)	Methamphetamine (Count 3)
	)	
	)	Vio: 18 U.S.C. § 924(c)(1)(A)(i)
	)	Possession of a Firearm in
	)	Furtherance of a Drug
	)	Trafficking Crime (Count 4)
	)	
	)	Notice of Forfeiture Allegations

The Grand Jury Charges:

COUNT 1

That on or about May 15, 2013, in the Eastern District of Washington, EUSEVIO CHAVALLO, JR., did knowingly and intentionally distribute a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).

COUNT 2

That on or about June 4, 2013, in the Eastern District of Washington, EUSEVIO CHAVALLO, JR., did knowingly and intentionally distribute 50 grams of more pure (actual) methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii).

COUNT 3

That on or about June 26, 2013, in the Eastern District of Washington, EUSEVIO CHAVALLO, JR., did knowingly and intentionally possess with intent to distribute 50 grams of more pure (actual) methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(A)(viii).

COUNT 4

That on or about June 26, 2013, in the Eastern District of Washington, EUSEVIO CHAVALLO, JR., did knowingly possess a firearm, that is, a 9 mm Kel-Tec, Model No. P11, bearing serial number A7V46, in furtherance of a drug trafficking crime for which the Defendant may be prosecuted in a Court of the United States, to wit: possession with the intent to distribute a mixture or substance containing methamphetamine, as charged in Count 3 of this Indictment, in violation of 18 U.S.C. § 924(c)(1)(A)(i).

1 NOTICE OF CRIMINAL FORFEITURE ALLEGATIONS

2 Property Constituting, or Derived from, Proceeds

3 The allegations contained in Counts 1-3 of this Superseding Indictment are  
4 hereby re-alleged and incorporated by reference for the purpose of alleging forfeitures  
5 pursuant to 21 U.S.C. § 853.

6 Pursuant to 21 U.S.C. § 853, upon conviction of an offense of violation of 21  
7 U.S.C. § 841(a)(1), set forth in Counts 1-3 of this Superseding Indictment, EUSEVIO  
8 CHAVALLO, JR., shall forfeit to the United States, any property constituting, or  
9 derived from, any proceeds obtained, directly or indirectly, as the result of such  
10 offense(s) and any property used or intended to be used in any manner or part, to  
11 commit or to facilitate the commission of the offense(s).

12 If any forfeitable property, as a result of any act or omission of the Defendants:

13 (a) cannot be located upon the exercise of due diligence'

14 (b) has been transferred or sold to, or deposited with, a third party;

15 (c) has been placed beyond the jurisdiction of the court;

16 (d) has been substantially diminished in value; or

17 (e) has been commingled with other property which cannot be divided without  
18 difficulty;

19 The United States shall be entitled to forfeiture of substitute property pursuant to 21  
20 U.S.C. §853(p).

21 Firearm

22 The allegations contained in Count 4 of this Superseding Indictment are hereby  
23 re-alleged and incorporated by reference for the purpose of alleging forfeitures  
24 pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

25 Upon conviction of the offense in violation of 18 U.S.C. § 924(c)(1)(A)(i), set  
26 forth in Count 4 of this Superseding Indictment, the Defendant, EUSEVIO

1 CHAVALLO, JR., shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d)  
2 and 28 U.S.C. § 2461(c), any firearm involved in the commission of the offense,  
3 including, but not limited to: a 9 mm Kel-Tec, Model No. P11, bearing serial number  
4 A7V46.

5  
6 DATED this 20 day of May, 2014.

7  
8 A TRUE BILL

9  
10   
11 Foreperson

12   
13 MICHAEL C. ORMSBY  
14 United States Attorney

15   
16 Matthew F. Duggan  
17 Assistant United States Attorney